

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

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|--------------------------------------|---|----------------------------|
| JENNIFER L. MILLER, <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | |
| MICHAEL J. ANDERSON, <i>et al.</i> , |) | Judge John R. Adams |
| |) | |
| Defendants, |) | Case No. 5:20-cv-01743-JRA |
| |) | |
| and |) | |
| |) | |
| FIRSTENERGY CORP., |) | |
| |) | |
| Nominal Defendant. |) | |

DEFENDANT DENNIS M. CHACK'S FIFTH STATUS REPORT

Defendant Dennis M. Chack respectfully submits the following fifth status report pursuant to the Court's November 9, 2021 Case Management Plan (ECF 160)

- 1. Discovery that has occurred during the 45-day period since the May 9, 2022 filing of the D&O Defendants' fourth status report (Doc. #307):** None.
- 2. Settlement discussions that have occurred during the reporting period:** None.
- 3. Motions that have been filed by Mr. Chack or that remain pending during the reporting period:** On June 10, 2022, the parties filed a joint motion to dismiss without prejudice (Doc. #320).
- 4. Any developments that might give rise to a request to deviate from the schedule outlined in the Case Management Plan:** On February 9, 2022, the parties reached an agreement in principle to settle and release all shareholder derivative claims. On March 11, 2022, the parties entered into a Stipulation and Agreement of Settlement, and the plaintiffs filed an unopposed motion for preliminary settlement approval in the Southern

District of Ohio. On May 9, 2022, that court preliminarily approved the settlement, enjoined proceedings in the case before it, and set a fairness hearing for July 21, 2022. As previously reported, the parties are contractually bound by the Stipulation and Agreement of Settlement not to prosecute any of the derivative actions pending final approval of the proposed settlement.

Dated: June 23, 2022

Respectfully submitted,

/s/ Douglas M. Mansfield

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Attorneys for Defendant Dennis M. Chack

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of June 2022 the foregoing was filed electronically. Notice of this filing will be sent to all electronically registered parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Douglas M. Mansfield

Douglas M. Mansfield (0063443)

*One of the Attorneys for
Defendant Dennis M. Chack*